

BILL NO: 2 of 2012  
INTRODUCED: April 18, 2012  
BY: Councilman Jonmichael Retos  
ENACTED: May 16, 2012  
ORDINANCE NO: 2 of 2012

**CITY OF MONESSEN  
WESTMORELAND COUNTY, PENNSYLVANIA**

**AN ORDINANCE ADOPTING THE 2012 VERSIONS OF THE PROPERTY  
MAINTENANCE CODE, EXISTING BUILDING CODE, BUILDING CODE, AND FIRE  
CODE OF THE INTERNATIONAL CODES SERIES AS CODES OF THE CITY, AND  
REPEALING THE PRIOR TRIENNIAL VERSIONS**

**WHEREAS**, the City elected to administer and enforce the Pennsylvania Construction Code (Ordinance No. 5 of 2004) which adopts by reference certain volumes of the International Code Series; and

**WHEREAS**, by adoption of the Pennsylvania Construction Code, the City, by reference thereto, adopted the International Existing Building Code, the International Building Code and the International Fire Code as Codes of the City; and

**WHEREAS**, by Ordinance No. 12 of 2010, adopted August 18, 2010, the City adopted the 2009 International Property Maintenance Code as the Property Maintenance Code of the City; and

**WHEREAS**, the International Code Series adopts a new version triennially, and the 2012 versions of said Codes are now published.

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Council of the City of Monessen, County of Westmoreland and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same that:

Section 1: By reference thereto, the 2012 International Property Maintenance Code is adopted as the Property Maintenance Code of the City.

Section 2: The following sections of the International Property Maintenance Code are hereby modified:

A. **Section 101.1 Title.** shall provide:

**101.1 Title.** These regulations shall be known as the Property Maintenance Code of the City of Monessen, hereinafter referred to as "this Code."



- B. **Section 103** shall provide:

**SECTION 103  
DEPARTMENT OF PUBLIC SAFETY/CODE  
ENFORCEMENT OFFICE**

**103.1 General.** The Department of Public Safety/ Code Enforcement Office shall administer and enforce this Code.

**103.2 Appointment.** Council shall appoint one or more individuals to serve as Code Enforcement Officers of the City.

- C. **Section 103.3 Fees.** shall provide:

**103.3 Fees.** The fees for activities and services performed by the Department of Public Safety/Code Enforcement Office in carrying out its responsibilities under this Code shall be set and/or modified by Resolution of Council.

- D. **Section 104.2 Rule-making Authority.** is deleted.

- E. **Section 106. 4 Violation Penalties.** shall provide:

**106.4 Violation Penalties.** Upon determining that a person has violated a provision of this Code, the Code Enforcement

Officer shall file a citation at the office of the Magisterial District Judge, charging the person with a summary offense.

Upon conviction, of a provision of this Code, the person shall

be sentenced to pay a fine of not less than \$100.00 nor more

than \$1,000.00, along with the costs of prosecution. Each day that a violation continues, after due notice has been served, shall be deemed a separate offense.

- F. **Section 111.2 and its subparts** shall be replaced by the following:

**111.2 Membership of Board.** The Board of Appeals referenced in this section shall be the same Board of Appeals created pursuant to section 4 of Ordinance No. 5 of 2004 (Chapter 172-4 of the City Code).

Section 3: By reference thereto, the International Existing Building Code 2012 issued by the ICC, including all errata issued by the ICC, is adopted as the Existing Building Code of the City.

Section 4: By reference thereto, Chapters 20.9 and 31-35 of the International Building Code 2012 issued by the ICC, including all errata issued by the ICC, is adopted as the Building Code of the City.

Section 5: By reference thereto, the International Fire Building Code 2012 issued by the ICC, including all errata issued by the ICC, is adopted as the Fire Code of the City

Section 6: In future years, if a triennial revision is not adopted as a part of the Pennsylvania Construction Code, then the relevant provisions of the prior version of the Codes shall remain in effect.

Section 7: If any section, subsection, sentence, clause or phrase of this Ordinance is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 8: This Ordinance is intended to, and shall cause the International Property Maintenance Code 2012, the International Existing Building Code 2012, the International Building Code 2012, and the International Fire Code 2012 to supersede and replace the 2009 versions of those Codes.

Section 9: This Ordinance shall become effective ten (10) days after its enactment.

**ENACTED and ORDAINED** this 16th day of May, 2012.

City of Monessen

BY: Mary Jo Smith  
Mary Jo Smith, Mayor

ATTEST:

Rosalie Nicksich  
Rosalie Nicksich, City Clerk